

HEALTH SERVICES AND DEVELOPMENT AGENCY

COMMUNIQUE

MONTHLY PUBLICATION OF HEALTH SERVICES AND DEVELOPMENT AGENCY

Andrew Jackson Building, 9th Floor

502 Deaderick Street

Nashville, TN 37243

615.741.2364

DECEMBER 2013

For Meeting verification/change or agenda information, please call the Agency Office
or check our website at www.tn.gov/hsda

HEALTH SERVICES AND DEVELOPMENT AGENCY

Chair.....D. Lynn Johnson
Vice-Chair.....James Wright
Executive Director.....Melanie Hill
General Counsel.....James Christoffersen

Tennessee Department of Health, Division of Policy, Planning and Assessment.....615/741-1954

**Tennessee Department of Mental Health and Substance Abuse Services,
Office of General Counsel...615/532-6520 or Main Office.....615/532-6500**

**Tennessee Department of Intellectual and Development Disabilities,
Office of General Counsel...615/253-8731 or Main Office....615/532-6500 or
800-535-9725**

CALENDAR

The Health Services and Development Agency will be closed on the following days:

2013

Tuesday, December 24 — Christmas Eve
 Wednesday, December 25—Christmas
 Tuesday, December 31—New Year's Eve

2014

Wednesday, January 1—New Year's Day
 Monday, January 20—Martin Luther King Day
 Monday, February 17—Presidents' Day
 Friday, April 18—Good Friday
 Monday, May 26—Memorial Day

Friday, July 4—Independence Day
 Monday, September 1—Labor Day
 *Monday, October 13—Columbus Day
 Tuesday, November 11—Veterans' Day
 Thursday, November 20—Thanksgiving Day
 *Friday, November 21—*substituted* for Columbus Day
 Wednesday, December 24—Christmas Eve
 Thursday, December 25—Christmas
 Wednesday, January 31—New Year's Eve

*** Monday, October 13 – Columbus Day “*substituted for the day after Thanksgiving at the Governor's discretion.*”**

2013 REVIEW CYCLE

<u>2013 Cycle Month</u>	<u>Publication Dates—Letter of Intent</u>	<u>Application Due Date</u>	<u>HSDA Meeting Dates</u>	<u>*End of Appeal Period</u>
September	08/01/2013-08/10/2013	5 days after Publication	11/20/2013	12/05/2013
October	09/01/2013-09/10/2013	“	12/18/2013	01/02/2014
November	10/01/2013-10/10/2013	“	01/22/2014	02/06/2014
December	11/1/2013-11/10/2013	“	02/26/2014	03/13/2014

2014 REVIEW CYCLE

<u>2014 Cycle Month</u>	<u>Publication Dates—Letter of Intent</u>	<u>Application Due Date</u>	<u>HSDA Meeting Dates</u>	<u>*End of Appeal Period</u>
January	12/01/2013-12/10/2013	5 days after Publication	03/26/2014	04/10/2014
February	01/01/2014-01/10/2014	“	04/23/2014	05/08/2014
March	02/01/2014-02/10/2014	“	05/28/2014	06/12/2014
April	03/01/2014-03/10/2014	“	06/25/2014	07/10/2014
May	04/01/2014-04/10/2014	“	07/23/2014	08/07/2014
June	05/01/2014-05/10/2014	“	08/27/2014	09/11/2014
July	06/01/2014-06/10/2014	“	09/24/2014	10/09/2014
August	07/01/2014-07/10/2014	“	10/22/2014	11/06/2014
September	08/01/2014-08/10/2014	“	11/19/2014	12/04/2014
October	09/01/2014-9/10/2014	“	12/17/2014	01/01/2015
November	10/01/2014-10/10/2014	“	01/28/2015	02/12/2015
December	11/01/2014-11/10/2014	“	02/25/2015	03/12/2015

In the event that the last appropriate filing date falls on a Saturday, Sunday, or legal holiday, such filing should occur on the *preceding* business day.

*Appeal deadline is 15 days after meeting date.

STATE OF TENNESSEE POLICY OF NON-DISCRIMINATION

PURSUANT TO THE STATE OF TENNESSEE'S POLICY OF NON-DISCRIMINATION, THE HEALTH SERVICES AND DEVELOPMENT AGENCY DOES NOT DISCRIMINATE ON THE BASIS OF RACE, SEX, RELIGION, COLOR, NATIONAL OR ETHNIC ORIGIN, AGE, DISABILITY OR MILITARY SERVICE IN ITS POLICIES OR IN THE ADMISSION OR ACCESS TO, OR TREATMENT OR EMPLOYMENT IN, ITS PROGRAMS, SERVICES OR ACTIVITIES.

EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION INQUIRIES OR COMPLAINTS SHOULD BE DIRECTED TO THE HEALTH SERVICES AND DEVELOPMENT AGENCY EEO/AA COORDINATOR OR OFFICER, HEALTH SERVICES AND DEVELOPMENT AGENCY, ANDREW JACKSON BUILDING, 9th FLOOR, 502 DEADERICK STREET, NASHVILLE, TN 37243. TELEPHONE NO.: 615/741-2364. ADA INQUIRIES OR COMPLAINTS SHOULD BE DIRECTED TO THE HEALTH SERVICES AND DEVELOPMENT AGENCY'S ADA COORDINATOR: JAMES CHRISTOFFERSEN, HEALTH SERVICES AND DEVELOPMENT AGENCY, ANDREW JACKSON BUILDING, NINTH FLOOR, 502 DEADERICK STREET, NASHVILLE, TN 37243. TELEPHONE NO.: 615/741-2364.

HEALTH SERVICES AND DEVELOPMENT AGENCY MEETINGS

THSDA Meetings are scheduled to be held at
8:30 a.m. CDT/CST
At the following locations:

December

Legislative Plaza
Room 12
Sixth Avenue North & Union Street
Nashville, TN

January – June

AT&T Tower
Main Auditorium
333 Commerce Street
Nashville, TN

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* Meeting locations are subject to change

** All meetings of the Health Services and Development Agency are
posted on the Agency's website at www.tn.gov/hsda

EXECUTIVE DIRECTOR'S ANNOUNCEMENTS:

PLEASE NOTE:

In order that the Agency members may have sufficient time to review the meeting packet, please submit all support, rebuttal and comments for matters on the Agency's agenda no later than noon (Central Time) on the thirteenth day before the meeting at which that matter will be Heard. The parties are encouraged to provide 15 copies. In accordance with T.C.A., Section 68-11-1609(g)(1), any health care institution wishing to oppose a Certificate of Need application must file a written objection with the Agency and serve a copy on the applicant no later than fifteen days before the agency meeting at which time the application is originally scheduled.

RESULTS OF APPLICATIONS HEARD AT THE NOVEMBER MEETING

There were no applications deemed complete on August 31, 2013. Therefore, no applications were entered into the September review cycle for the **November 20, 2013** Health Services and Development Agency Meeting.

GENERAL COUNSEL'S REPORT

McKendree Village
4347 Lebanon Road
Hermitage (Davidson County), TN 37076
CN1202-010A
Contact Person: Byron R. Trauger, Esq.
Phone No.: 615-256-8585

Request for a 13 month extension from July 1, 2014 to August 1, 2015.

APPROVED

OTHER BUSINESS

Agency Review of the Administrative Judge's Initial Order, and Issuance of the Agency's Final Order:

East Tennessee Radiation Therapy Services, LLC
1415 Old Wesigarber Rd., Suite 250
Knoxville, TN 37909
CN01108-030AD
Docket No. 25.00
Contact Person: W. Brantley Phillips, Esq.
Phone: 615-742-6200

Request by East Tennessee Radiation Therapy Services, LLC, for the Agency to review the Administrative Law Judge's Initial Order issued on May 30, 2013, denying a certificate of need to establish an ambulatory surgical treatment center, acquire a linear accelerator, and initiate radiation therapy services in the Dowell Springs area of Knoxville, Tennessee.

FINAL ORDER APPROVING CON

APPLICATIONS TO BE HEARD AT THE DECEMBER MEETING

* NHC Homecare, Murfreesboro
1923 Memorial Blvd., Suite A
Murfreesboro (Rutherford County), TN 37129
CN1310-036
Contact Person: Bruce K. Duncan, Assistant Vice President
Phone: 615-890-2020

Consent Calendar

The addition of Franklin County to the existing service area of NHC Homecare in Rutherford County. If approved, NHC Homecare, Columbia (license #181) will delicense Franklin County from its service area. The current service area includes the following counties: Bedford, Cannon, Clay, Coffee, Cumberland, Davidson, Dekalb, Fentress, Grundy, Jackson, Marshall, Morgan, Overton, Pickett, Putnam, Rutherford, Smith, Trousdale, Van Buren, Warren, White, Williamson, and Wilson. The estimated project cost is \$3,000.00.

* NHC Homecare, Springfield
2100 Park Plaza Drive
Springfield (Robertson County), TN 37172
CN1310-037
Contact Person: Bruce K. Duncan, Assistant Vice President
Phone: 615-890-2020

Consent Calendar

The addition of Macon County to the existing service area of NHC Homecare in Robertson County. If approved, NHC Homecare, Murfreesboro (license #208) will delicense Macon County from its service area. The current service area includes the following counties: Cheatham, Davidson, Montgomery, Robertson, Sumner and Wilson. The estimated project cost is \$3,000.00.

* The Jackson Clinic
2859 Highway 45 West Bypass
Jackson (Madison County), TN 38205
CN1310-038
Contact Person: John L. Wellborn, Consultant
Phone: 615-665-2022

Consent Calendar

The relocation of an existing MRI and CT from the campus of Jackson Clinic Professional Association located at 616 West Forest Avenue, Jackson (Madison County), TN into a newly constructed addition to the Clinic's North campus medical office building at 2859 Highway 45 Bypass, Jackson (Madison), TN. The applicant intends to also replace/upgrade its one MRI unit with a new MRI unit. The estimated project cost is \$1,978,943.00.

Community Hospices of America-Tennessee, LLC
d/b/a Hospice Compassus-The Highland Rim
1805 N. Jackson St., Suites 5 & 6
Tulahoma (Coffee County), TN 37388
CN1307-023
Contact Person: Kim H. Looney, Esq.
Phone: 615-850-8722

DEFERRED FROM OCTOBER

The addition of Lincoln County to the service area of Hospice Compassus which is currently licensed in Bedford, Cannon, Coffee, Franklin, Giles, Grundy, Hickman, Lawrence, Lewis, Marshall, Maury, and Moore counties. The estimated project cost is \$28,000.00.

Seton Corporation d/b/a Saint Thomas Midtown
Hospital f/k/a Baptist Hospital
2000 Church Street
Nashville (Davidson County), TN 37236
CN1307-028
Contact Person: Barbara Houchin, Executive Director, Planning
Phone: 615-284-6849

DEFERRED FROM OCTOBER REQUEST TO DEFER TO FEBRUARY

The modification of the hospital by replacing and relocating four (4) operating rooms. The estimated project cost is \$11,499,496.00.

(Continued on Next Page)

APPLICATIONS TO BE HEARD AT THE DECEMBER MEETING

MUA of Middle Tennessee, LLC
28 White Bridge Road, #210
Nashville (Davidson County), TN 37205
CN1308-031
Contact Person: E. Graham Baker, Jr., Esq.
Phone: 615-370-3380

DEFERRED TO JANUARY

Pioneer Community Hospital of Scott
18797 Alberta Street
Oneida (Scott County), TN 37841
CN1308-030
Contact Person: Eden Blackwell, Director of
Corporate Compliance
Phone: 601-849-6440 (x 325)

Vanderbilt University Hospitals
1211 Medical Drive
Nashville (Davidson County), TN 37232
CN1309-034
Contact Person: Ronald W. Hill, Vice President,
Business Development
Phone: 615-936-6012

GENERAL COUNSEL'S REPORT

Morristown-Hamblen Hospital
908 West Fourth North Street
Morristown (Hamblen County), TN 37814
CN1009-040A
Contact Person: Dan H. Elrod, Esq.
Phone No.: 615-651-6700

The addition of interventional pain management services to a single specialty ambulatory surgical treatment center (ASTC) with one (1) procedure room currently authorized to provide only manipulation under anesthesia (MUA) services, which are manual, not operative, surgical procedures. The estimated project cost is \$113,000.00.

Discontinuance of Obstetrics Services at Pioneer Community Hospital of Scott. If approved, the five (5) obstetrical beds will be converted to medical/surgical beds and the licensed acute care bed complement at the hospital will remain at twenty-five (25). The estimated project cost is \$5,000.00.

The expansion and renovation to the existing third floor operating suite by four operating rooms and by providing shell space for future expansion of two additional operating rooms at 1211 Medical Center Drive, Nashville (Davidson County), TN. The estimated project cost is \$7,535,709.00.

Request for a six (6) month extension of the expiration date from February 1, 2014 to August 1, 2014. This project was approved on December 15, 2010 for the acquisition of a stationary (fixed) positron emission tomography/computerized tomography (PET/CT) unit to replace and upgrade the existing mobile PET/CT equipment. The estimated project cost is \$4,695,707.

APPLICATIONS TO BE HEARD AT THE JANUARY MEETING

MUA of Middle Tennessee, LLC
28 White Bridge Road, #210
Nashville (Davidson County), TN 37205
CN1308-031
Contact Person: E. Graham Baker, Jr., Esq.
Phone: 615-370-3380

DEFERRED FROM DECEMBER

Smoky Mountain Ambulatory Surgery Center, LLC
1338 Papermill Pointe Way
Knoxville (Knox County), TN 37909-1903
CN1308-032
Contact Person: E. Graham Baker, Jr., Esq.
Phone: 615-370-3380

Woodridge of West Tennessee, LLC
49 Old Hickory Blvd.
Jackson (Madison County), TN 38305
CN1309-035
Contact Person: Robert Bauer, CEO
Phone: 615-327-4440

The Village at Germantown
7930 Walking Horse Circle
Germantown (Shelby County), TN 37138
CN1310-039
Contact Person: John L. Wellborn, Consultant
Phone: 615-665-2022

The addition of interventional pain management services to a single specialty ambulatory surgical treatment center (ASTC) with one (1) procedure room currently authorized to provide only manipulation under anesthesia (MUA) services, which are manual, not operative, surgical procedures. The estimated project cost is \$113,000.00.

Addition of interventional pain management services at its ASTC which currently limited to manipulation under anesthesia (MUA) services. The estimated project cost is \$53,000.00.

The establishment of a sixteen (16) bed geriatric inpatient psychiatric facility located at 49 Old Hickory Blvd, Jackson (Madison County), TN 38305. The estimated project cost is \$1,158,737.00.

The addition of twenty (20*) Medicare-certified skilled beds to its existing thirty (30) Medicare skilled bed nursing home. The estimated project cost is \$5,654,232.00.

* These beds are subject to the 2013-2014 Nursing Home Bed Pool.

APPLICATIONS TO BE HEARD AT THE FEBRUARY MEETING

Love Ones
2502 Mount Moriah, Suite A-148
Memphis (Shelby County), TN 38115
CN1309-033
Contact Person: LaTonya Addison, LPN/Chief Officer
Phone: 901-282-9124

The establishment of a home care organization and the initiation of home health services in Shelby, Fayette, and Tipton counties. The parent office will be located at 2502 Mount Moriah, Suite A-148, Memphis (Shelby County), TN. The estimated project cost is \$177,800.00.

Crestwyn Behavioral Health
Unaddressed site at the intersection of
Crestwyn Hills Drive and Winchester Road
Germantown (Shelby County), TN 38138
CN1310-040
Contact Person: John L. Wellborn, Consultant
Phone: 615-665-2022

The establishment of a sixty (60) bed psychiatric hospital located at an unaddressed tract of land on the east side of Crestwyn Hills Drive, Germantown (Shelby County), TN 38138. The estimated project cost is \$26,875,862.00.

Methodist Healthcare-Memphis Hospitals d/b/a
Le Bonheur Children's Hospital
848 Adams Avenue
Memphis (Shelby County), TN 38103
CN1311-042
Contact Person: Carol Weidenhoffer, Corporate Director of
Planning, Research and Business Development
Phone: 901-516-0679

The establishment of a pediatric outpatient center and to initiate and acquire a magnetic resonance imaging (MRI) and computed tomography (CT) service and equipment. The facility will be located at 100 North Humphreys Boulevard, Memphis (Shelby County), TN 38120 and will be operated as an outpatient department of Le Bonheur Children's Hospital. The estimated project cost is \$26,798,857.00.

Methodist Healthcare-Memphis Hospitals d/b/a
West Cancer Center
7945 Wolf River Boulevard
Germantown (Shelby County), TN 38138
CN1311-043
Contact Person: Carol Weidenhoffer, Corporate Director
of Planning, Research and Business Development
Phone: 901-516-0679

The establishment of an off-campus outpatient department which includes a comprehensive cancer center and two (2) hospital-based ambulatory operating rooms. The proposed project will include the following: 1) relocation of a linear accelerator, positron emission tomography/computed tomography (PET/CT), magnetic resonance imaging (MRI) and computed tomography (CT) services and equipment; 2) replacement of MRI equipment; and 3) an additional linear accelerator. The estimated project cost is \$60,554,193.00.

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APPLICATIONS TO BE HEARD AT THE FEBRUARY MEETING

The Farms at Bailey Station
Unaddressed site on Crooked Creek Road
off Houston Levee Road
Collierville (Shelby County), TN 38017
CN1311-045
Contact Person: Jerry W. Taylor, Esq.
Phone: 615-782-2228

The addition of thirty (30)* Medicare-certified skilled beds to be part of the thirty (30) Bed SNF approved by CN1303-008A for a total of 60 SNF beds. The estimated project cost is \$6,306,575.00.

*These beds are subject to the 2013-2014 Nursing Home Bed Pool

Karing Hearts Cardiology Cardiac PET Service
701 State of Franklin Road, Suite 2
Johnson City (Washington County), TN 37604
CN1311-046
Contact Person: John L. Wellborn, Consultant
Phone: 615-665-2022

The initiation of Cardiac PET services and to acquire Cardiac PET equipment, at its practice office at 701 State of Franklin Road, Suite 2, Johnson City (Washington County), TN. The estimated project cost is \$391,585.00.

APPEALS OF AGENCY DECISIONS

<u>FACILITY</u>	<u>DOCKET #</u>	<u>DESCRIPTION</u>	<u>MEETING DATE</u>
Baptist Memorial Hospital-Huntingdon Huntingdon, Carroll County CN1205-021A	25.00-118927J	Appeal of Approval of CON	9/26/2012
East Tennessee Radiation Therapy Services Knoxville, Knox County CN1108-030ADA	25.00-115208J	Appeal of Approval of CON	12/14/2011
HealthSouth Rehabilitation Hospital of Williamson County Franklin, Williamson County CN1012-059A	25.00-111868J	Appeal of Approval of CON	3/23/2011
Medical Care, PLLC Elizabethton, Carter County CN1303-006D	25.00-122463J	Appeal of Denial of CON	7/24/2013
Middle Tennessee Rehabilitation Hospital, LLC Franklin, Williamson County CN1012-055D	25.00-111868J	Appeal of Denial of CON	3/23/2011
Tri-Cities Holdings LLC d/b/a Trex Treatment Center Johnson City, Washington County CN1303-005D	25.00-122076J	Appeal of Denial of CON	6/26/2013

HEALTH SERVICES AND DEVELOPMENT AGENCY MEMBERS

D. Lynn Johnson
(Consumer, Speaker of the House)

Charlotte C. Burns
(Hospital)

Claudia H. Byrd
(Consumer, Speaker of the Senate)

Robert Doolittle
(Consumer, Governor)

Barrett G. Haik, M.D.
(Physician)

Thom Mills
(Home Care)

Mark Flora, M.D.
(Ambulatory Surgical Treatment
Centers)

James L. Wright
(Nursing Home)

Keith Gaither, Designee
for Director of TennCare
Darin J. Gordon

Elisha Hodge, Designee
for Comptroller
Justin Wilson

Lisa Jordan, Designee
for Commerce & Insurance
Commissioner